

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF MAY 1998

Before

THE HON'BLE MR.JUSTICE P.VISHWANATHA SHETTY

H.R.R.P. NO. 1777/96

Sri Chandrashekar,
s/o late R.V.Narasaiyar,
44 yrs, No.62, Outhouse,
11th Cross, 1st Stage,
Indiranagar,
Bangalore-560 038.

Petitioner

(By Sri R.B.Sadasivappa, Advocate)

vs

Dr.Sathyaraj Arasu,
s/o late S.T.Arasu,
42 yrs, No.62, 11th Cross,
1st Stage, Indiranagar,
Bangalore-560 038.

Respondent

(By Sri B.Krishnamurthy & S.V.Srinath, Adv.)

This revision petition is filed under Sec.50(1) of KRC Act, against the order dt. 3.9.96, passed in HRC No.1718/93, on the file of the Addl. Judge, Court of Small Causes, Bangalore City, allowing I.A.XI filed u/0 29(4) of KRC Act.

This petition coming on for orders this day, the court made the following :-

O R D E R

Though this petition is posted in the orders list for consideration of I.A.III for early hearing, with the consent of the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent, this petition is taken up for final hearing and disposed of, by this order.

2. After arguing the matter for some time, learned counsel for the petitioner and the learned counsel for the respondent agreed that the order impugned may be set aside with a direction to the trial court to dispose of the main H.R.C. Petition early.

3. Sri R.B.Sadasivappa, learned counsel appearing for the petitioner in the course of the hearing of the petition submitted that the petitioner has paid entire arrears of rent and also the rent ~~including~~ for the month of June, 1998. He further submitted ^{that} with a view to

ms

avoid any hardship to the landlord, from 1st July, 1998 onwards he will pay four months' rent in advance. He further submitted that if there is any default on the part of the petitioner-tenant henceforth, the petitioner tenant will not seek any indulgence from the Court for the default committed by him.

3. The said statement made by the learned counsel for the petitioner-tenant is placed on record and treated as an undertaking on behalf of the petitioner.

4. It is necessary to place ^{it} on record that in the light of the said submission of Sri Sadasivappa, learned counsel for the respondent Sri Srinath, conceded for setting aside the order impugned in this petition.

5. In the light of the discussion made above, the order dated 3rd September, 1996, made in H.R.C.No.1718/93, on I.A.XI is hereby set aside and the H.R.C.No.1718/93 is restored to the file of the Additional Judge, Court of

[Signature]

Small Causes, Bangalore City. The learned Addl. Judge, Court of Small Causes is directed to dispose of the H.R.C. Petition within six months' from the date of receipt of a copy of this order.

6. In terms stated above, this petition is disposed of.

Sd/-
JUDGE